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# TRANSMITTAL FORM

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Total Number of Pages in This Submission

7

Application Number

09/853,816

Filing Date

May 11, 2001

First Named Inventor

Tobagi

Art Unit

2616

Examiner Name

Phan

Attorney Docket Number

PA1689US

## ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
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- ☐ Status Letter
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  - 2) Duplicate of IDS

Remarks

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Carr & Ferrell LLP

Cust. No. 22830

Signature

*Kenneth M. Kaslow*

Printed name

Kenneth M. Kaslow

Date

July 11, 2006

Reg. No.

32,246

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Tobagi et al.

APPLICATION NO.: 09/853,816

FILING DATE: May 11, 2001

TITLE: System and Method for Controlling Data Transfer Rates  
on a Network

EXAMINER: Phan

ART UNIT: 2616

ATTY.DKT.NO.: PA1689US

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**Under 37 C.F.R. §§ 1.56, and 1.97-1.98**

SIR:

Pursuant to the provisions of 37 C.F.R. §§ 1.56 and 1.97-98, enclosed herewith is form PTO-SB-08 listing two references.

The Examiner is requested to make these references of official record in the application. The references cited may be material to examination of the application and are submitted in compliance with Applicants' duty of disclosure per 37 C.F.R. § 1.56.

This statement is presented subject to 37 C.F.R. § 1.97(d) in that it is being filed by the applicants after the period specified in paragraph (c) of this section but prior to the payment of the issue fee. The present information disclosure statement is further accompanied by the requisite statement in accordance with 37 C.F.R. § 1.97(e)(1). Additionally, the Examiner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to **Deposit Account 06-0600**. A duplicate copy of this statement is enclosed for this purpose.

In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

No representation is made or intended as to the completeness of this list, nor is the inclusion of any reference on this list an admission that it is prior art or pertinent to this application.

Respectfully submitted,  
Fouad A. Tobagi et al.

July 11, 2006

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**(Use as many sheets as necessary)**

Application Number	09/853,816
Filing Date	May 11, 2009
First Named Inventor	Tobagi
Art Unit	2616
Examiner Name	Phan
Attorney Docket Number	PA1689US

Sheet	1	of	1
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[illegible][illegible]Date  
Considered

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